Instn. II-97—100,000—22-5-52.

Home (1952) Department.

MS. SERIES.

G.O. No. 3218

Dated 4-9-1952

[Despatch Abstract.]

Police Standing Orders - Order No.604, Volume I - Dispersal of unlawful assemblies and responsibilities of Magistrates - Amendments - Approved.

GOVERNMENT OF MADRAS.

ABSTRACT.

Police Standing Orders - Order No.694, Volume I - Dispersal of unlawful assemblies and responsibilities of Magistrates - Amendments - Approved.

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HOME DEPARTMENT.

G.O.Ms.No.3218. Dated 4-9-1952.

Read the following:-

1) G.O.Ms.No.2373, Public (General A) dated 20-9-51.
2) G.O.Ms.No.809, Public (General A) dated 15-3-52.
3) From the Inspector General of Police, R.C.No.453-1/Crime/52 dated 10-4-1952

O R D E R:-

The following amendments to the Police Standing Orders, Volume I are approved.

AMENDMENTS.

Order No.694: Dispersal of mobs and firing.

I. Substitute the following for paragraph (2) of the order:

2. An unlawful assembly may be ordered to disperse by a Magistrate or Officer-incharge of a Police Station, and it is the duty of the members of the unlawful assembly to disperse. If they do not, force may be used to disperse them. The possibility of dispersing the mobs with lathis must be carefully considered. Any Police Officer may without warrant, arrest the members of an unlawful assembly with the public aid and thus disperse the assembly. The following points have to be carefully remembered.

i) Where an actual situation arises and a Sub-Divisional Magistrate is present at the spot, in the absence of the District Magistrate, he should be in complete charge of the situation, and he has, in law, all the necessary legal powers to order any police officer, including a Deputy Superintendent of Police or a District Superintendent of Police who may be present, to assist him in handling the situation;

ii) The senior-most police officerpresent is bound to assist the Sub-Divisional Magistrate by mobilising the available police force and utilising them as best as possible;

iii) If the crowd becomes defiant, and lathi charge is inexpedient or fails in its purpose, resort may be had to the use of fire arms. The Sub-Divisional Magistrate is responsible for taking a decision as to when an unlawful assembly has to be dispersed by force and also as to the kind of force to be used.

iv) In the absence of the Sub-Divisional Magistrate, any other magistrate present, or called upon to handle a similar situation will have the similar powers as in Sub clauses (i) to (iii) above, and the police officer present will be bound to carry out the orders of such magistrate.

P.T.O.

Note: In districts in which the Judiciary has been separated from the Executive, the reference to the Sub-Divisional Magistrate should be construed as a reference to the Revenue Divisional Officer (Executive, ~~the~~ ~~~~ ~~~~ ~~

xiv) An armed force should never be brought so close to a large and dangerous mob as to risk its either being overwhelmed by numbers or being forced to inflict heavy casualities. Firing should be carried out from a distance sufficient to obviate the risk of being rushed and to enable strict fire control to be maintained.

xv) A Police Officer below the rank of a Station House Officer has no power to disperse such assembly himself, but he may may arrest any person without warrant for being member of an unlawfull assembly.

II Insert the following as paragraph (3) of the order and renumber the existing paragraph (3) as paragraph(4)

3. "In any situation arising where the Police are Compelled to deal with unlawful assemblies in different places of the same village or town, it would be necessary to secure, as far as possible the presence and permission of a Magistrate before resorting to the use of firearms for dispersing any or all of such assemblies."

(sd).....
SECRETARY TO GOVERNMENT.

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R. Nagarajan 24.9.92
SUPERINTENDENT.

sps/18/7

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20/7.